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09/766,550	01/19/2001	Donald Bruce Hubbard	285277-00016	9920

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Kirk D. Houser
Eckert Seamans Cherin & Mellott, LLC
44th Floor
600 Grant St.
Pittsburgh, PA 15219

EXAMINER

VIG, NARESH

ART UNIT PAPER NUMBER

3629

DATE MAILED: 10/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/766,550

Applicant(s)

HUBBARD ET AL.

Examiner

Naresh Vig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is reference to response received on 04 August 2003 to the office action mailed on 07 May 2003. Amendments to claims 1 and 44 – 48 are acknowledged and considered. There are 48 claims, claims 1 – 48 pending for examination.

Response to Arguments

Applicant's arguments with respect to claims 1 – 48 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi et al. US Patent 5,950,169 hereinafter known as Borghesi in view of Hertz Corporation hereinafter known as Hertz.

Regarding claim 1, Borghesi discloses system and method for managing and processing insurance claims that implements an object oriented graphic user interface. The system includes at least one remote computer (client system) for entering and viewing insurance claim information. A wide area network capable of communicating with the remote computer and a computer in communication with said wide area network are also included. An insurance datafile, generated at said remote computer, is transferable over the network. A graphic user interface for use in managing an insurance claim from an initial claim to final settlement is also included. The interface has common workflow objects such as an in box, an in process box, and an out box, for managing and manipulating one or more work files [abstract]. The present method accomplishes claim processing by controlling the electronic transfer of files (data, information) between various remote computers, including those located at vendors, body shops, salvage yards, insurance company, and other terminals which may be used in an insurance processing environment [col. 4, lines 24 – 30].

Borghesi discloses employing a server system [Fig. 3] including a database for storing information [col. 6, lines 19 – 23].

Borghesi discloses plurality of client systems [Fig. 3]; A wide area network capable of communicating with the remote computer and a computer in communication with said wide area network are also included [abstract].

Borghesi does not disclose to modify rental information. Hertz disclose system and method to allow users to create [pages 62 – 66], retrieve [page 67], modify [page 22] or cancel [page 22] a reservation. However, Borghesi discloses at least one remote computer for entering and viewing insurance claim information [abstract]; modifying the datafile at the remote computer to update the datafile with information accessed from an external source to the remote computer [claim 13]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify rental information to automate the process, create paperless business environment etc.

Applicant discloses "In accordance with a preferred practice of the invention, another user 86, such as a claims manager, may review by exception some of the rental claim information 110 from another client system, such as 92. For example, the claims manager selects one of the vehicle rental variables 110, enters a value (V) 114 corresponding to the selected one of the vehicle rental variables 100, and responsive to a request (R) 116, the server routine 96 generates a report (RPT)". Borghesi discloses that the single user system 44 communicates with other databases and other computers via a modem 66, which may be internal or external, connected to a wide area network over regular telephone lines [col. 6. lines 46 – 49]. Report forms are accessible through a report object 94 [col. 8, lines 14 – 15]. If a specific total valuation is desired then the user must request a custom total valuation report from a third party database provider

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[col. 13, lines 20 – 22]. Borghesi does not disclose content of the report. Borghesi discloses [col. 10, several types of communication logs are kept at the user's computer and the user may review items in a received logs 294, view an exceptions log 296, or review 298 the support log. lines 20 – 22]. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a business choice to elect what information should be presented in a report. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to generate reports presenting the information required by the business to make the report useful for running the business.

Regarding claim 2, Borghesi does not disclose entering rental reservations. However, Borghesi discloses to inform the insured about the car rental option. By accessing the inspection information frame with the frame bar 106, a user may review or update appointment and inspection site information, and rental car information if applicable; information necessary to specify inspection scheduling and site is enterable using the graphic user interface. The policy information frame includes type of coverage, name of insured and/or claimant, policy number and provider, deductible amount, expiration date, and other relevant details [col. 9, lines 33 – 42]. Additionally, Borghesi discloses that various business functions can be interconnected [col. 4, lines 25 – 30]. Applicant discloses a reservation information screen of an electronic rental system as a prior art [Fig. 3]. Hertz discloses system and method for rental car

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reservations. Hertz discloses entering of rental reservations [page 62]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Borghesi as taught by the prior art and interconnect Hertz to automate the renting of a vehicle at the time of insurance claim processing, to provide the reservation entry to complete plurality of tasks during a call, generate revenue by offering alternate services etc.

Borghesi does not disclose to display a scoreboard including a count of unconfirmed rental reservations. However Borghesi discloses a graphic user interface which includes an "in box" for holding and demarcating at least one datafile that a user is about to work on, an "out box" for holding and demarcating at least one datafile that a user has completed work on, and an "in process" box that may hold at least one insurance datafile a user is currently working on. In one preferred embodiment, the in box, out box and in process box are concurrently visible to a user. In another embodiment, a plurality of sections visible as overlapping tabbed folder images are included in the graphic user interface. Each of the sections has a visible identification tab and the plurality of sections comprise a datafile [col. 3, lines 5 – 17]. Applicant discloses scoreboard including count of pending (unconfirmed) reservations as a prior art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display count of unconfirmed reservations to determine potential work in the pipeline for planning purposes.

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Regarding claim 6, applicant discloses that displaying the scoreboard as a prior art [see Fig. 1].

Regarding claim 7, Borghesi does not disclose to display pending reservations. Applicant discloses displaying pending reservations as prior art [see Fig. 1]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display count of pending reservations to determine potential work in the pipeline for planning purposes.

Borghesi does not disclose to have canceling one of pending reservations. Hertz discloses to allow user to cancel reservations [page 22].

Regarding claim 3, Borghesi discloses to inform the insured about the car rental option. By accessing the inspection information frame with the frame bar 106, a user may review or update appointment and inspection site information, and rental car information if applicable; information necessary to specify inspection scheduling and site is enterable using the graphic user interface. The policy information frame includes type of coverage, name of insured and/or claimant, policy number and provider, deductible amount, expiration date, and other relevant details [col. 9, lines 33 – 42]. Also, applicant acknowledges to display list of working rentals as prior art [Fig. 5]. Applicant

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acknowledges that open rentals are rentals where the renter is actually in the vehicle (i.e. vehicle is still under the rental agreement).

Borghesi does not display to include rate information with rental reservation. Hertz discloses to display rate with rental reservation [page 67]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display rate information to inform the supporting staff whether the rental car provided is within the price limit.

Borghesi discloses that user may update (change) rental information (changing rate).

Regarding claim 4, Borghesi discloses to providing an expected duration for one of said open rentals (car rented by the insured while their car is in repairs). Borghesi discloses to determine whether repairs exceed estimate [Fig. 17], body shop working with the insurance company when it finds additional damage [Fig. 22] (which could require additional to complete repairs).

Borghesi discloses that when an extension is required, appraiser/adjuster reviews information, insured agrees (signs), and extension is authorized [Fig. 22] (extending expected duration).

Regarding claim 5, Borghesi does not disclose displaying a message associated with rentals. The workfile may contain correspondence, electronic mail (e-mail) messages, an event log pertaining to the claim and data related to the insured and the claim. Applicant acknowledges "Figure 6 shows a display 38 of the prior electronic rental management system including an "incoming messages" screen. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display message associated with rentals to inform insurer that the extension of time to complete repairs may require extending the rental to the insured.

Claims 8 – 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi et al. US Patent 5,950,169 hereinafter known as Borghesi in view of Hertz Corporation hereinafter known as Hertz in further view of Aquila et al. US Publication 2002/0035488 hereinafter known as Aquila and "Quicken 99 For Windows For Dummies" a book by Stephen L. Nelson hereinafter known as Nelson.

Regarding claims 8 – 13, Borghesi discloses that the event log, which is automatically appended to the workfile, allows supervisors to track and manage claim cycle times. In addition, the workfile holds all notes, form letters, reports and rate tables that are related to the claim the workfile represents [col. 5, lines 44 – 50]. A user may choose to store, or view stored information 168 or print out reports on specific workfiles

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170 (pending, unconfirmed). If the user chooses to select to print out certain reports the user may check a print preview 172 of specific types of forms to print out [col. 11, lines 14 – 18].

Borghesi does not disclose contents of the reports or who the report is for. Aquila discloses to provide canned or special reports [0063 – 0064]. The reporting sub-system summarizes and formats data stored eclaim file or the insurance carrier system based on a number of criteria to generate various reports [0026]. Neslon discloses that data stored on the file system can be used to generate canned reports, user can extract subset of data by providing data extraction criteria [page 124], users can create customized reports [page 122]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to generate reports with the information required by the intended user to make the report provide the expected information as required by the user, help the management understand business health and make business decisions etc.

Regarding claims 14 – 29 and 31 – 32, Borghesi discloses a single user, who previously had to master and juggle numerous programs and pieces of paper, may accomplish all the necessary insurance processing tasks using a single program that holds all claim information in a file in a single database. Other advantages, stemming from the common graphic user interface and single insurance claim workfile, are the elimination of redundant data entry and the ability to view separate calculations at the

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same time. Further, the entire administrative management of claim processing is aided through the preferred event log section of the insurance claim datafile [col. 3, lines 18 – 30].

Borghesi discloses that a user may choose to store, or view stored information 168 or print out reports on specific workfiles 170 [col. 11, lines 14 – 18].

Borghesi does not disclose contents of the reports or who the report is for. Aquila discloses to provide canned or special reports [0063 – 0064]. The reporting sub-system summarizes and formats data stored eclaim file or the insurance carrier system based on a number of criteria to generate various reports [0026]. Neslon discloses that data stored on the file system can be used to generate canned reports, user can extract subset of data by providing data extraction criteria [page 124], users can create customized reports [page 122]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to generate reports with the information required by the intended user to make the report provide the expected information as required by the user, help the management understand business health and make business decisions etc.

Neither Borghesi, Aquila nor Nelson disclose the query structure for extracting data to generate report. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that businesses generate reports using the data extracted with the query designed to meet the business preference for the contents for the reports. For example, Quicken allows users to generate accounting data within range of dates, or, Human Resources in a business

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generate Affirmative Action Reports within date range to meet contract requirements, extract data and generate report for employees who are eligible for review etc.

Regarding claim 30, Borghesi discloses maintaining a database for each of said vehicle rentals [col. 11, lines 14 – 18].

Borghesi discloses that the workfile contains all the necessary information for field processing of insurance claims. This information includes administrative information that details the loss involved, the type of inspection done, any information from the inspection, and the particular adjuster assigned the claim [col. 4, lines 47 – 51].

Borghesi does not disclose contents of the reports or who the report is for. Aquila discloses to provide canned or special reports [0063 – 0064]. The reporting sub-system summarizes and formats data stored in claim file or the insurance carrier system based on a number of criteria to generate various reports [0026]. Neslon discloses that data stored on the file system can be used to generate canned reports, user can extract subset of data by providing data extraction criteria [page 124], users can create customized reports [page 122]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to generate reports with the information required by the intended user to make the report provide the expected information as required by the user, help the management understand business health and make business decisions etc.

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Neither Borghesi, Aquila nor Nelson disclose the query structure for extracting data to generate report. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that businesses generate reports using the data extracted with the query designed to meet the business preference for the contents for the reports. For example, Quicken allows users to generate accounting data within range of dates, or, Human Resources in a business generate Affirmative Action Reports within date range to meet contract requirements, extract data and generate report for employees who are eligible for review etc.

Claims 33 – 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hertz Corporation hereinafter known as Hertz in view of Borghesi et al. US Patent 5,950,169 hereinafter known as Borghesi in further view of Aquila et al. US Publication 2002/0035488 hereinafter known as Aquila and “Quicken 99 For Windows For Dummies” a book by Stephen L. Nelson hereinafter known as Nelson.

Regarding claims 33 – 35 and 37 – 48, applicant acknowledges that it is known to employ an electronic rental management system using private frame relay connections for communication. Such a system was employed to permit a vehicle rental service provider to provide an insurance claims center of an insurance company with a direct electronic connection to the vehicle rental service provider's branch locations.

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Such a system employed data entry, which was usually accomplished by the vehicle rental service provider's employee based within the insurance claims center [page2, lines 7 – 13]. Hertz discloses system and method for managing vehicle rentals from a vehicle rental service provider (client of vehicle rental company) for a plurality of users, said method comprising. Hertz does not disclose data exchange from business partners (service providers). Borghesi discloses system and method for claim processing by controlling the electronic transfer of files (data, information) between various remote computers, including those located at vendors, body shops, salvage yards, insurance company, and other terminals which may be used in an insurance processing environment [col. 4, lines 24 – 30]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow service providers for managing vehicle rentals to create a paperless business environment, cut on personnel costs, automate the system etc.

Hertz discloses server system (users accesses information from Hertz website) including a file system (database, Hertz disclose to retrieve information at a later time, see page 67]. Borghesi discloses to have server system and database.

Hertz and Borghesi disclose plurality of client systems for users.

Hertz and Borghesi disclose employing a communication network to interconnect server system with client systems. Hertz discloses access to users over the internet, and Borghesi discloses using TCP/IP (protocol used to access internet).

Borghesi does not disclose contents of the reports or who the report is for. Aquila discloses to provide canned or special reports [0063 – 0064]. The reporting sub-system

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summarizes and formats data stored eclaim file or the insurance carrier system based on a number of criteria to generate various reports [0026]. Neslon discloses that data stored on the file system can be used to generate canned reports, user can extract subset of data by providing data extraction criteria [page 124], users can create customized reports [page 122]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to generate reports with the information required by the intended user to make the report provide the expected information as required by the user, help the management understand business health and make business decisions etc.

Neither Borghesi, Aquila nor Nelson disclose the query structure for extracting data to generate report. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that businesses generate reports using the data extracted with the query designed to meet the business preference for the contents for the reports. For example, Quicken allows users to generate accounting data within range of dates, or, Human Resources in a business generate Affirmative Action Reports within date range to meet contract requirements, extract data and generate report for employees who are eligible for review etc.

Regarding claim 36, Hertz does not disclose associating vehicle rental claim files with said vehicle rentals in database. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made to it is

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business choice to decide what information they deem necessary to maintain, how they decide to generate the table in a database (fields in a table), and how they define relationships between tables. Borghesi discloses that all the necessary insurance processing tasks can be accomplished using a single program that holds all claim information in a file in a single database. Other advantages, stemming from the common graphic user interface and single insurance claim workfile, are the elimination of redundant data entry and the ability to view separate calculations at the same time. Further, the entire administrative management of claim processing is aided through the preferred event log section of the insurance claim datafile [col. 3, lines 18 – 30]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to maintain claim related information like vehicle rental claims in a database to have a better data management, create queries more easily etc.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Rogers, IV et al. US Publication 2003/0125992

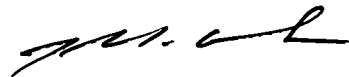
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is 703.305.3372. The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703.308.2702. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.3900.

October 17, 2003
Naresh Vig



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600